

REMARKS

Applicants have hereby canceled Claims 10-12 without prejudice to, or disclaimer of the subject matter contained therein. Applicants reserve the right to pursue the canceled subject matter in this or any other patent application. Accordingly, Claims 18-43 remain pending in the present application. Applicants have carefully considered all of the objections and comments raised by the Examiner in the Office Action of September 23, 2005 ("Office Action") and have responded to each in turn below.

Rejections under 35 U.S.C. § 103(a)

Claims 18-43 stand rejected under 35 U.S.C. § 103(a) over Ayala in view of Shank (U.S. Patent No. 6,071,537), both in view of Anderson et al. (U.S. Patent No. 6,437,147). Applicants respectfully traverse.

The Examiner cites Shank as allegedly teaching "treating obesity with the administration of ... topiramate," and cites Andersen et al. as allegedly teaching "the administration of bupropion for the treatment of obesity." Office Action at Para. 11. Applicants respectfully submit that Claims 18-43 do not recite the administration of bupropion or topiramate, but rather are directed to methods of reducing weight by administering "a pharmaceutical composition comprising zonisamide." According to the Examiner, Ayala allegedly teaches that, "the administration of zonisamide is effective in decreasing weight." However, Claims 18-43 are directed to methods of reducing weight wherein "said weight loss is significant and sustained" (Claims 18-34), and wherein "the induction of weight loss is sustained during the dosing regimen" (Claims 35-43) (emphasis added). Ayala does not teach or suggest methods of reducing weight wherein the weight loss is significant and sustained, or the induction of weight loss is sustained during the dosing regimen. Accordingly, Applicants respectfully request withdrawal of the rejection of Claims 18-43 under § 103(a) over Ayala in view of Shank, both in view of Anderson et al..

Claims 18-43 also stand rejected under 35 U.S.C. § 103(a) over Coffin et al. (U.S. Pub. No. 2001/0025038). Applicants respectfully traverse.

Coffin et al. allegedly teaches, "methods for reducing food cravings in mammals with the combined administration of antidepressant drugs, in particular bupropion, and

anticonvulsant drugs, namely zonisamide” (emphasis added). Office Action at Para. 14. Coffin et al. does not disclose, nor teach or suggest the administration of “a pharmaceutical composition comprising zonisamide” for “reducing weight in an overweight subject,” as recited in Claims 18-43, let alone methods wherein “weight loss is significant and sustained” (Claims 18-34) or “the induction of weight loss is sustained during the dosing regimen” (Claims 35-43). Accordingly, Applicants respectfully request withdrawal of the rejection of Claims 18-43 under § 103(a) over Coffin et al.

Obviousness-type double patenting rejections

Claims 18-19 are provisionally rejected under the doctrine of obviousness-type double patenting over co-pending Application No. 10/440,404, and Claims 18-43 are provisionally rejected under the doctrine of obviousness-type double patenting over co-pending Application Nos. 11/058,981, 11/059,027, and 11/034,316. Applicants respectfully request the Examiner to hold these rejections in abeyance until the prosecution of the present application and the aforementioned co-pending applications have progressed further.

CONCLUSION

Applicants have canceled Claims 10-12, rendering the rejections of those claims moot, and have otherwise addressed all of the rejections in the Office Action of September 23, 2005.

Applicants have enclosed the fee for a three month extension of time. If the enclosed amount is incorrect, please charge or credit Deposit Account No. 11-1410. Applicants invite the Examiner to call the undersigned if any issues can be resolved through a telephone conversation.

Respectfully submitted,

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